

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>4623C-000083/US/NPB</b>
INTERNATIONAL APPLICATION NO. <b>PCT/US2003/038021</b>	INTERNATIONAL FILING DATE <b>11/26/2003</b>	U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/540006</b>
TITLE OF INVENTION <b>Reduced Water Consumption Flush Toilet</b>		PRIORITY DATE CLAIMED <b>11/26/2003</b>
APPLICANT(S) FOR DO/EO/US <b>George Grech</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/540006</b>		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER <b>4623C-000083/US/NPB</b>	
20. <input checked="" type="checkbox"/> Other items or information: Certificate of Express Mailing (Label EV 805 532 572 US); Check for \$130.00; Response to Notification of Defective Response w/ copy of Form PCT/DO/EO/916 and Signed Declaration and Power of Attorney; Request to Correct Inventorship w/Statement by Dropped Inventor (2 statements) and Written Consent by Assignee; New Signed Declaration and Power of Attorney; Return Receipt Postcard					
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)) ..... \$300				\$	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0 All other situations ..... \$200				\$	
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... \$400 All other situations ..... \$500				\$	
<b>TOTAL OF 21, 22 and 23 =</b>				<b>\$ 0.00</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$	
Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		x		
Independent claims	- 3 =		x		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+		
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 130.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
<b>SUBTOTAL =</b>				<b>\$ 130.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 130.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
				\$	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 130.00</b>	
				Amount to be refunded:	\$
				Amount to be charged	\$
07/27/2006 ATRAN1 00000132 10540006 01 FC:1617 130.00 OP					

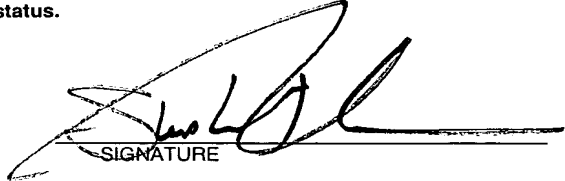
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- a. ☒ A check in the amount of \$ 130.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Stephen T. Olson  
HARNES, DICKEY & PIERCE, P.L.C.  
P. O. Box 828  
Bloomfield Hills, MI 48303  
United States of America



SIGNATURE

Stephen T. Olson  
NAME

36,626  
REGISTRATION NUMBER

CUSTOMER NUMBER: 27572

Date: July 21, 2006

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. **EV 805 532 572 US** in an envelope addressed to:

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on July 21, 2006  
Date



Signature

Susan McGaw

Typed or printed name of person signing Certificate

Registration Number, if applicable

(248) 641-1600  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

1. Certificate of Express Mailing (Label EV 805 532 572 US);
2. Transmittal Letter to the US/SO/EO (3 pages, in duplicate)
3. Check in the amount of \$130.00
4. Response to Notification of Defective Response w/ copy of Form PCT/DO/EO/916 and Signed Declaration and Power of Attorney;
5. Request to Correct Inventorship w/Statement by Dropped Inventor (2 statements) and Written Consent by Assignee;
6. New Signed Declaration and Power of Attorney;
7. Return Receipt Postcard

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: National Phase Application of PCT/US2004/38021  
(Unofficial U.S. Serial No. 10/540,006 filed 20 June 2005)

International  
Filing Date: 26 November 2003

Applicant: George GRECH *et al.*

Group Art Unit: To be assigned

Examiner: To be assigned

Title: REDUCED WATER CONSUMPTION FLUSH TOILET

Attorney Docket: 4623C-000083/NPB

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

In response to the Notification of Defective Response mailed 21 June 2006 (copy enclosed), Applicants hereby enclose a newly executed Declaration and Power of Attorney including all of the inventors mentioned on the published international application in order to satisfy the requirements of 35 U.S.C. 371.

Applicants are also enclosing a Request to Correct Inventorship Under 37 CFR §1.48(a) as well as the following documents in support thereof: (1) A statement from the dropped inventors that the error in inventorship occurred without deceptive intent; (2) the written consent of the Assignee, Thetford Corporation, to the correction in inventorship; and (3) a newly executed Declaration executed by all the inventors pursuant to the corrections made.

## PATENT

Applicants believe that a separate petition is not necessary and respectfully requests that the Examiner consider this Response to be a sufficient petition for correction of all inventorship issues in consideration of the supporting documents enclosed. If Applicant has not paid sufficient fees to prevent the abandonment of this application, authorization is provided to charge our Deposit Account No. 08-0750 for any further fees which may be due. A duplicate copy of this Response is enclosed.

Respectfully submitted,

Dated: 21 July 2006

By: 

Stephen T. Olson  
Registration No. 36,626  
*Attorney for Applicant*

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

STO/kgg

4623C-000003/NPB  
Missing Requirements + 3

21.06 NEP

STO ✓



UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/540,006	George Grech	4623C-083/NPB

INTERNATIONAL APPLICATION NO.

PCT/US03/38021

I.A. FILING DATE	PRIORITY DATE
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11/26/2003

11/30/2002

27572

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. BOX 828  
BLOOMFIELD HILLS, MI 48303

CONFIRMATION NO. 6670

371 FORMALITIES LETTER



\*OC000000019354671\*

Date Mailed: 06/21/2006

**NOTIFICATION OF DEFECTIVE RESPONSE**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 06/20/2005
- Copy of the International Search Report filed on 06/20/2005
- Preliminary Amendments filed on 06/20/2005
- Information Disclosure Statements filed on 06/20/2005
- Oath or Declaration filed on 05/01/2006
- U.S. Basic National Fees filed on 06/20/2005
- Priority Documents filed on 06/20/2005

Applicant's response filed 05/01/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 02/01/2006 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
  - All the inventors mentioned on the published international application didn't sign the declaration and the assignment. In addition, I do not have an IB Form 306 indicating any changes.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

**COPY**

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,006	PCT/US03/38021	4623C-083/NPB

FORM PCT/DO/EO/916 (371 Formalities Notice)